

REMARKS

Claims 1, 3-5, 7, 9-39 are presented for examination. Claims 1, 5, 9, 10, 18-27, 31-39 are amended. Claims 2, 6, and 8 were previously cancelled in a previous Office Action Response.

Claims 1, 3-4, 7, 9, 11-18, 26, 28-30, 36, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe (JP 10315971A) in view of Rautila (U.S. Pat. 6,714,797). Claims 5, 10, and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe in view of Rautila and further in view of Ilen (WO 95/11496 A1).

Tanabe describes what is basically a general radio broadcast of local train schedules, where the radio receivers are built into wristwatches. According to Tanabe's abstract, the broadcast is a general digital broadcast of all train departures (irrespective of the user's identification), and the watch displays schedule information for trains whose departure time is scheduled for at time later than the current time. Thus, Tanabe makes no mention of listing delays, showing terminal directions, recommending restaurants, etc to meet a specific individual's needs, as is required in the present invention.

Rautila explains that although one can access the internet through a cellular telephone, cellular telephone service can be expensive and one should limit the amount of log-on time. Therefore, Rautila describes a system where a user may use a cellular telephone to access the internet, access an online store, and make an online purchase for a downloadable item (such as music), but where the purchased item itself is not downloaded through the cellular telephone system. To avoid the expense of using the cellular telephone system to download the purchased item, the user may go to one of several available "hotspots" where high speed wireless communication is available free of charge (such as through a "Bluetooth" network). Basically, after making a purchase, a user is given a purchase code number, and a listing of designated hotspot locations. The user then travels to one of the designated hotspots, digitally transmits his purchase code number, and downloads the purchases digital product using the free wireless access network (i.e. Bluetooth). Therefore, the received information is

not "service information" as is required in the present invention. Rather, the received data is a previously purchased item, and is thus different from the service information of the present claims.

The Office Action suggests that one would be motivated to combine the teachings of Rautila with those of Tanabe in order to "make user friendly, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device". However, this argument seems faulty. Rautila explains that his use of short-range Bluetooth communication is a cheap, high speed alternative to expensive and slow cellular telephone service. But Tanabe does not describe the use of cellular telephone service. Rather, Tanabe already uses local wireless broadcasts, so he does not suffer the limitations of sending information through a telephone service. More specifically, Tanabe describes a general radio broadcast of train time tables. Any radio receiver within range can receive the broadcast information effortlessly and inexpensively. Thus Tanabe already has a method of transmitting large amounts of data quickly and inexpensively. Similarly, Rautila explains that the reason for using Bluetooth hot spots is that they provide a method of transmitting large amounts of data quickly and inexpensively. Thus, both Tanabe and Rautila already have distinct methods for achieving the stated objective of quick and inexpensive transmission of data. Therefore, the Office Action's stated motivation for combining the references in order to achieve quick and inexpensive transmission of data does not appear supported by the references.

Furthermore, contrary to the Office Action's assertion, Tanabe does not describe transmitting selected information on a user-by-user basis (as is required in the present invention), but rather Tanabe teaches broadcasting the same general information to all receivers. Tanabe also does not teach or suggest transmitting detailed information such as directions from one train platform to another on an individual basis. More specifically, page 3, item 4 of the Office Action, states that Tanabe discloses an external "receiving device (10, figure 1) for carrying wireless communication with the portable wireless device." However, Tanabe's external device is a radio transmitter only, and does not

"receive" any communication from the portable wireless device. Page 3, item 4 of the Office Action states that the portable wireless device includes a transmitting unit (1, figure 1) for carrying out wireless communication with said wireless information distribution device. But Tanabe's portable wireless device is a radio receiver only, and does not have any transmitting capabilities.

Applicants contacted Examiner Eng regarding these misstatements in the Office Action. Examiner Eng agreed that the Tanabe reference did not include all the transmitting and receiving operations recited in the claims, but Examiner Eng explained that the current claims recite a "transmitting/receiving device" and a "transmitting/receiving unit", and that he interprets a slash "/" to mean "or". Thus, he said that he interpreted the claims to recite a "transmitting or receiving" device, such that it did not matter that Tanabe's devices recited only one of a transmitting or receiving operation, and not both. Examiner Eng suggested that the claims would distinguish themselves from the cited prior art if the slash "/" were replaced with the word "and", such as "transmitting and receiving" device, or alternatively replaced by the term "transceiver".

Applicants respectfully point out that the current claim language already make clear that the claimed wireless information distribution device and a portable wireless device both have transmitting *and* receiving capability. Specifically, paragraph 7 of claim 1 recites that the external transmitting/receiving device includes a first control unit for "*receiving* a service information request having user-provided user attributes sent by said portable wireless device" and "*said first control unit being further effective for controlling the transmitting* of said retrieved service information to said portable wireless device". Thus, it clear that the external transmitting/receiving device (and also the portable wireless device) have both transmitting and receiving capability.

Furthermore, paragraph 12 of claim 1 recites that the portable wireless device is effective for a transmitting service information request, including said user-provided user attributes, and for displaying service information received from said external transmitting/receiving device in response to the service information request. Again, this makes it clear that the claimed portable

wireless device is capable for both transmitting and receiving data, and already achieve novelty over the Tanabe reference.

Thus, it is erroneous to interpret the external transmitting/receiving device and portable wireless device as having only one of transmitting *or* receiving capability, and not both. As shown above, the current claim language clearly states that external transmitting/receiving device and portable wireless device are both capable of transmitting and receiving operation, and are thus already distinct from the cited prior art. Nonetheless, to remove any unintended ambiguity, claims 1, 5, 9, 10, 18, 19, 21-27, 31, and 33-38 are amended to change "transmitting/receiving" to "transmitting and receiving", in accordance with the Examiner's suggestion. In keeping with this change, claims 5, 10, 20, 27, and 32 are similarly amended to change "entry/exit" to "entry or exit".

In the same interview with Examiner Eng, Applicants pointed out that a main distinction between the present invention and the cited prior art is that the present invention requires that the user transmit personal identifying information, and automatically receive custom catered (and continuously updated) service information in accordance with the supplied user identification information without the user needing to operate the his information terminal. Examiner Eng asserted that the claims do not teach that the portable device "automatically" sends service information to the wireless information distribution device. Applicants pointed out that the last paragraph of claim 1 states that the "second control transmits said service information request to said wireless information distribution device upon receiving said communication request signal". Typically, when a first device is said to respond upon receiving a signal from a second device, it is understood that the first device has initiated an "auto-response", which is generally understood to be equivalent to an automatic response. However, Examiner Eng explained that he was interpreting the phrase "upon receiving" very broadly to mean that a response is sent some time later, and not necessarily automatically. Examiner Eng suggested that adding the word "automatically" (and perhaps the phrase "without user intervention") to claim 1 would help distinguish the present invention from the cited prior art. Applicants respectfully point out that claims 19, 31, 37, and 39 already recite the

term "automatically" and should thus already achieve novelty over the cited prior art. Nonetheless, to remove any unintended ambiguity, claims 1, 9, 26, 31, 36, and 38 are amended to incorporate the term automatic and/or the phrase "without user intervention".

Therefore, in the present invention, a user will always be able to automatically receive information customized specifically for the user without needing to operate the user's information terminal. Thus, a main distinction between the present invention and the cited prior art is that the present invention requires that the portable wireless device automatically send the user's personal identifying information, and automatically receive custom catered service information in accordance with the supplied identifying information.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration of the present application.

Respectfully submitted,



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